

Case 13-02132 Filed 07/29/13 Doc 52  
**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
**CIVIL MINUTE ORDER**

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**Adversary Title :** Edstrom v. Auburn Lake Trails  
Property Owners Association et al      **Case No :** 12-29353 - B - 11  
**Adv No :** 13-02132 - B  
**Date :** 7/23/13  
**Time :** 09:32

**Matter :** [8] – Motion/Application to Dismiss Adversary Proceeding/Notice of Removal  
[ATL-1] Filed by Defendant Auburn Lake Trails Property Owners Association  
(Itas)

**Judge :** Thomas Holman  
**Courtroom Deputy :** Sheryl Arnold  
**Reporter :** Diamond Reporters  
**Department :** B

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**APPEARANCES for :**

**Movant(s) :**  
(by phone) Defendant's Attorney – Sam Chon for Auburn Lake Trails Property Owners Assoc.  
**Respondent(s) :**  
Plaintiff – Daniel Major Edstrom

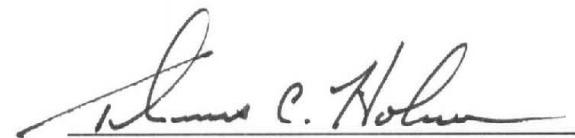
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**CIVIL MINUTE ORDER**

Findings of fact and/or conclusions of law are appended to the civil minutes and good cause appearing.

IT IS ORDERED that the motion is granted in part. The complaint commencing this adversary proceeding is dismissed as to all claims for relief and all defendants with leave to amend. The plaintiff debtor is ordered pursuant to Fed. R. Civ. P. 12(e) to file and serve a first amended complaint that is consistent with this ruling and which shall not exceed forty (40) pages in length, not including any attached exhibits, and which shall be filed and served on or before August 23, 2013. If the plaintiff fails to file an amended counterclaim by the foregoing date, the movant may submit to the court a proposed order dismissing all claims set forth in the complaint. Except as so ordered, the motion is denied.

Dated: July 26, 2013



Thomas C. Holman  
United States Bankruptcy Judge

This document does not constitute a certificate of service. The parties listed below will be served a separate copy of the attached Civil Minute Order.

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Sam Chon  
1451 River Park Dr #285  
Sacramento, CA 95815

Daniel Edstrom  
2690 Brown Bear Ct  
Cool, CA 95614